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9 **UNITED STATES BANKRUPTCY COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

11 In re:

12 EVANDER F. KANE,
13
14
15
16

Debtor.

Case No. 21-50028 SLJ

Chapter 7

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18 **STATEMENT OF ELECTION**

19 Creditor South River Capital, LLC (“Appellant”) has simultaneously filed an appeal
20 under 28 U.S.C. §158(a) and Bankruptcy Rule 8003 from the Order Denying Motion to
21 Convert (the “Order”) (ECF No. 101) in the above captioned bankruptcy case. Appellant
22 hereby elects, pursuant to 28 U.S.C. § 158(c)(1)(A), to have this appeal heard by the United
23 States District Court for the Northern District of California.

24 Dated: May 3, 2021

BINDER & MALTER, LLP

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26 By: /s/ Wendy Watrous Smith
27 Wendy Watrous Smith, Attorneys for
28 South River Capital LLC

STATEMENT OF ELECTION